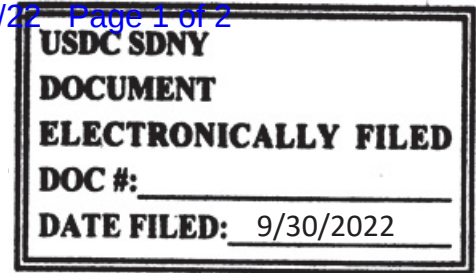


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Please Respond to:
Long Island:

September 30, 2022

VIA ECF

The Honorable Stewart D. Aaron, U.S.M.J.
United States District Court, Southern District of New York
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

The request for a conference is GRANTED. The parties shall appear for a telephone conference on Thursday, October 6, 2022 at 10:30 a.m. to discuss the issues raised herein. SO ORDERED.
Dated: September 30, 2022

A handwritten signature in blue ink, appearing to read "Stewart D. Aaron".

Re: Francisco Melo-Cordero v. Windell I. Robinson, FTVY Logistics LLC, Shaddai Transport LLC, Shaddai Transport of NJ LLC, and Amazon Logistics, Inc.
Index No. : 1:21-cv-04837 (LAK) (SDA)
D/L : 3/3/2021
Our File : NIC-00903

Dear Honorable Sir:

The office of the undersigned represents defendant FTVY Logistics LLC in the above-referenced matter. Please accept the following as a joint letter from FTVY Logistics LLC and codefendant and Amazon Logistics, Inc. containing a proposed schedule for the completion of discovery pursuant to the Court's Order of July 2, 2022. Defendant Amazon also requests a pre-motion conference to quash plaintiff's Notice to Take Deposition, dated September 30, 2022.

A meet and confer was held on September 14, 2022, with all counsel participating. The parties, including plaintiff's counsel, agreed to the proposed schedule set forth below. However, this morning plaintiff's counsel refused to consent to the joint letter unless specific dates were set for the deposition of Amazon's witnesses (which plaintiff only designated on September 26) before the letter was filed. Accordingly a letter is being submitted by defendants at this time.

The parties jointly propose to the Court the following discovery plan, which was agreed upon by all counsel during the September 14, 2022 meet and confer:

a. Amazon is to respond to plaintiff's second demand for production of documents and plaintiff's request for production of documents dated September 6, 2022, on or before October 31, 2022.

b. All fact discovery must be completed by February 17, 2023.

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September 30, 2022

c. Depositions shall be completed by December 30, 2022. Absent an agreement between the parties or an order from the Court, non-party depositions shall follow initial party depositions. The parties shall proceed with depositions in the order of the caption, including the depositions of the non-appearing parties.

d. Supplementation: Supplementations under Rule 26(e) must be made within a reasonable period of time after discovery of such information.

e. Expert Disclosure: Plaintiff to disclose his experts on or before January 27, 2023. Defendants to disclose their experts on or before March 10 2023. Plaintiff to serve reply expert reports on or before April 14, 2023.

Additionally, in an attempt to circumvent this Court setting a discovery schedule, and in the midst of electronic correspondence exchanged between plaintiff's counsel and the undersigned counsel for the defendants this morning regarding this joint letter, plaintiff electronically mailed a Notice to Take Deposition directed to defendant Amazon, purportedly returnable on November 7, 2022. In doing so, while plaintiff's counsel was well aware that the undersigned defendants' counsel objected to same, plaintiff's counsel did not electronically mail the Notice to either undersigned counsel handling this matter. Instead, plaintiff's counsel sent it to an attorney from counsel for Amazon who was not part of the exchange this morning, as well as a former associate of Amazon's counsel which all parties are aware left the firm months ago. Due to the dispute that has arisen regarding the deposition of defendant Amazon, counsel for defendant Amazon respectfully requests that this Court schedule a pre-motion conference regarding Amazon's intention to move to quash plaintiff's improper Notice.

The defendants thank the Court for its time and consideration.

Respectfully yours,
SMITH MAZURE, P.C.



By: _____
ANN P. ECCHER

WILSON ELSER MOSKOWITZ
EDELMAN & DICKER, LLP



By: _____
KERI A. JOECKEL
Attorneys for Amazon Logistics, Inc.

APE/mar (386)

cc: Via ECF

Michael J. Aviles & Associates